

REMARKS

The Office Action mailed November 24, 2006 has been reviewed and carefully considered. In view of the new art rejections, the above amendments and the following remarks, reconsideration of the above-identified application is respectfully requested.

Claims 1-7, 10-18, 22-31 and 34 are pending in this application. Claims 8-9, 19-21, 32-33 and 35 have been withdrawn. Claims 1, 2, 10, 14, 22, 26-28 have been amended. No new matter has been added.

§103 REJECTIONS

Claims 1-7, 14-18, 22-24, 26-31 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod.com (hereinafter "Peapod") in view of U.S. Patent No. 6,339,745 to Novik (hereinafter Novik). Further, claims 10-13 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod in view of Novik and in further view of Behnke (U.S. 4,360,875).

While Applicant respectfully disagrees with the rejections, in the interest of furthering this case, the Applicant has amended the independent claims 1, 10, 14, 22 and 26-28 to recite, *inter alia*: "correlating a client identifier to a postal address of a client" which is supported by the specification at least on page 11, lines 20-40, and page 13, lines 1-14.

As acknowledged by the Examiner, Peapod fails to disclose or suggest at least correlating a postal address of each client from a plurality of clients to precise **terrestrial coordinates corresponding to said postal address**, and identifying a vehicle nearest to the **terrestrial coordinates** of a client/addressee, essentially as claimed in claims 1, 10, 14, 22

and 26-28. Instead, with regards to any alleged ‘geographic location’ teaching, Peapod merely refers to pre-specified areas in which grocery delivery services are offered, wherein a customer can determine if they are in a Peapod service area by entering their zip code online on the Peapod website.

Novik’s focus is in providing a system for tracking, monitoring and displaying the positions of vehicles in a fleet from a base station in the interest of allowing a user to manage fleet operations for maintaining fleet safety and security. While GPS technology is utilized and mentioned in Novik, such position-determining technology is simply used to record the GPS information for each vehicle and communicate the GPS information to a base station for tracking purposes. *See e.g., Col. 4, lines 19-54.*

Applicant asserts there is no disclosure or suggestion in either Peapod and/or Novik of at least correlating a client identifier to a postal address of a client, essentially as claimed in claims 1, 10, 14, 22 and 26-28. Advantageously, a system and method of the present invention according to one embodiment is enabled to ultimately correlate a client identifier (e.g., a pin number) to terrestrial coordinates of the client. As such, the geographic location of the client is relayed to the delivery vehicle in a manner which minimizes data entry and maximizes privacy as well as user-friendliness for the client, which may often be a handicapped, elderly, disabled person or person in need of emergency aid. Contrast this with Novik, which simply discloses wherein a user may be able to find a location based on blatantly entering an actual address, city, latitude, etc; or with Peapod, which does not even disclose or suggest wherein a postal address is correlated to terrestrial coordinates, much less correlating a *client identifier* with terrestrial coordinates.

Furthermore, note that neither Peapod nor Novik make any mention whatsoever of stored postal addresses of clients, much less stored client identifiers (whether stored in a first, second or common database, as affirmed by the Examiner on page 5 of the Final Office Action), and thus such process of correlating client identifiers to postal addresses as presently claimed is simply impossible to perform in either Peapod and/or Novik.

Behnke is cited by the Examiner here as allegedly disclosing service delivery to handicapped persons; however, Behnke fails to fully cure the deficiencies of Peapod and/or Novik. Namely, Behnke fails to disclose or suggest at least correlating a *client identifier* with terrestrial coordinates, essentially as claimed in claim 10. Moreover, while Behnke arguably mentions stored addresses, it fails to disclose or suggest correlating precise terrestrial coordinates to each address, as previously discussed and affirmed by the Examiner. Behnke simply refers to generalized **rectangular grids** which may contain numerous addresses and are assigned a neighborhood code.

Accordingly, claims 1, 10, 14, 22 and 26-28 are asserted to be patentable and nonobvious over Peapod in view of Novik and/or Behnke for at least the reasons stated above. Claims 2-7, 11-13, 15-18, 23-25 and 29-31, 34 depend from claims 1, 10, 14, 22 and 28 respectively. The dependent claims include the limitations of their respective independent claims and are therefore believed to be patentable and nonobvious for at least the reasons stated for claims 1, 10, 14, 22 and 28.

Withdrawal of all the rejections and early and favorable reconsideration of the case is respectfully requested.

CONCLUSION

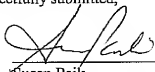
In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Final Office Action of November 24, 2006 be withdrawn, that pending Claims 1-7, 10-18, 22-31 and 34 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-0510.

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Respectfully submitted,

By:



Susan Paik
(Registration No. 46,347)

Mailing Address:

KEUSEY, TUTUNJIAN & BITETTO, P.C.
20 Crossways Park North, Suite 210
Woodbury, NY 11797
Tel: (516) 496-3868
Fax: (516) 496-3869